

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:  
Brown, Anthony Hugh

Pre-Confirmation Modified  
Chapter 13 Plan

Dated 08/19/04

Case No. 04-33984

DEBTOR(S)  
In a joint case, debtor  
means debtors in this plan

**1. PAYMENTS BY THE DEBTOR-**

- a. As of the date of the plan, the debtor has paid the Trustee \$ \_\_\_\_\_.
- b. After the date of this plan, the debtor will pay the trustee \$ 975 per month for 60 months, beginning within 30 days after filing this plan for a total of \$ 58500 or until all allowed claims are paid in full, whichever happens first.
- c. The debtor will also pay the trustee \_\_\_\_\_.
- d. The debtor will pay the trustee a total of \$ 58500 [line 1a) + line 1(b) + line 1(c)].

**2. PAYMENTS BY TRUSTEE** - The trustee will make payments only to creditors for which proofs of claim have been filed, make payments monthly as available, and collect the trustee's percentage fee of 10% for a total of \$ 5,850.00 or such lesser percentage as may be fixed by the Attorney General. For purposes of this plan, month one (1) is the month following the month in which the debtor makes the debtor's first payment. Unless ordered otherwise, the trustee will not make any payments until the plan is confirmed. Payments will accumulate & be paid following confirmation.

**3. PRIORITY CLAIMS** - The trustee shall pay in full all claims entitled to priority under sec. 507, including the following. The amounts listed are estimates only. The trustee will pay the amounts actually allowed.

Creditor	Estimated Claim	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. Attorney Fees	\$ 1250	\$ 877.50/372.	1/2	2	\$ 1250
b. Internal Revenue Service	\$ 4545	\$ Pro Rata			\$ 4545
c. Minn. Dept. of Revenue	\$ 1208	\$ Pro Rata			\$ 1208
d.	\$	\$			\$
e.	\$	\$			\$
f. TOTAL					\$ 7003

**4. SECURED CLAIMS NOT IN DEFAULT** - The following creditors have secured claims. Payments are current & the debtor will continue to make all payments which come due after the date the petition was filed directly to the creditors. The creditors will retain their liens.

- a. 2003 Ford Focus-Ford Motor Credit, Estranged wife pays and maintains
- b. US Department of Education-student loans

**5. HOME MORTGAGES IN DEFAULT** - The trustee will cure defaults on claims secured only by a security interest in real property that is the debtor's principal residence as follows. The debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

CREDITOR	AMOUNT OF DEFAULT	MONTHLY PAYMENT	BEGINNING IN MONTH #	NUMBER OF PAYMENTS	TOTAL PAYMENTS
a. Principal Mortgage	\$ 5993	\$375	3	15.98	\$ 5993
b.	\$	\$			\$
c.	\$	\$			\$
d. TOTAL					\$ 5993

**6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT** - The trustee will cure defaults on other claims as follows & the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

CREDITOR	AMOUNT OF DEFAULT	MONTHLY PAYMENT	BEGINNING IN MONTH #	NUMBER OF PAYMENTS	TOTAL PAYMENTS
a.	\$	\$			\$
b.	\$	\$			\$
c.	\$	\$			\$
d. TOTAL					\$

7. **OTHER SECURED CLAIMS-** The trustee will make payments to the following secured creditors having a value as of confirmation equal to the allowed amount of the creditor's secured claim. The creditor's allowed claim shall be the creditor's claim or the value of the creditor's interest in the debtor's property, whichever is less. Except for the IRS creditors shall retain their liens until their secured claim is paid in full, at which time property securing said claim shall vest in the debtor free and clear of any lien, claim or interest of the secured creditor. **NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. SEC. 1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM UNDER 11 U.S.C. SEC. 506(A).**

CREDITOR	% INT RATE	CLAIM AMOUNT	SECURED CLAIM	ESTIMATED MONTHLY PAYMENT	ESTIMATED BEGINNING IN MONTH #	ESTIMATED NUMBER OF PAYMENTS	TOTAL
a. Ford Motor Credit-Explor	7.49	\$ 32230	\$ 32230	\$ 505/502.5/	2/3/19	51	\$ 38,701
b.		\$	\$	\$ 877.5			
c.		\$	\$	\$			
d.		\$	\$	\$			
e.		\$	\$	\$			
f.		\$	\$	\$			
g. TOTAL							\$ 38,701

8. **SEPARATE CLASS OF UNSECURED CREDITORS-**In addition to the class of unsecured creditors specified in paragraph, there shall be a separate class of nonpriority unsecured creditors described as follows:

-Debtor is paying 2003 Ford Explorer in full to protect co-signer on loan with Ford Motor Credit.

- a. The debtor estimates that the total claims in this class are \$ \_\_\_\_\_.
- b. The trustee will pay this class \$ \_\_\_\_\_.

9. **TIMELY FILED UNSECURED CREDITORS-**The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under paragraphs 2, 3, 5, 6, 7 and 8 their pro rata share of approximately \$ 953.00 [line1(d) minus lines 2, 3(c), 5(d) and 8(b)].

- a. The debtor estimates that the total unsecured claims held by creditors listed in paragraph 7 are \_\_\_\_\_
- b. The debtor estimates that the total unsecured claims (excluding those in paragraphs 7 & 8 are \$ 16,360
- c. Total estimated unsecured claims are \$ 16,360 [line 9(a) plus line 9(b)].

10. **TARDILY-FILED UNSECURED CREDITORS-**All money paid by the debtor to the trustee under paragraph 1, but not distributed by the trustee under paragraphs 2,3,5,6,7,8 or 9 shall be paid to holders of nonpriority unsecured claims for which proof of claim were tardily filed.

11. **OTHER PROVISIONS** - The trustee may distribute any funds that are not allocated above at his/her discretion. To the extent that Child Support is an unsecured claim for AFDC reimbursement, it shall be designated a separate class & paid in full. In the event property tax debts are filed as secured claims, they shall be paid as secured claims, but they shall be paid as set forth in Paragraph 3 or as set forth in Paragraph 6 above. Please note: Child Support Collections is authorized to continue automatic wage withholding for ongoing, post-petition child support. Child Support Collections may obtain, modify & enforce the debtor's current ongoing child support obligation, including medical support & child care, including wage withholding. All of the debtor's projected disposable income in the 3 year period beginning on the date that the first plan payment is due will be applied to make payments under the plan. Any non-exempt proceeds from personal injury claims shall be turned over to the trustee.

-Estranged wife shall make payments on 2003 Ford Focus that she drives and maintains directly to Ford Motor Credit, debtor surrenders his interest in 2003 Ford Focus.

-US Department of Education shall be paid directly outside of plan on student loans.

12. **SUMMARY OF PAYMENTS - ESTIMATED**

Trustee's fee [Line2]	\$ 5,850.00
Priority Claims [Line 3(f)]	\$ 7,003.00
Home Mortgage Defaults [Line 5(d)]	\$ 5,993.00
Long-Term Debt Defaults [Line 6(d)]	
Other Secured Claims [Line 7(g)]	\$ 38,701.00
Separate Class [Line 8(b)]	
Unsecured Creditors [Line 9]	\$ 953.00
TOTAL [Must equal Line 1(d)]	\$ 58,500.00

Law Office of Curtis K. Walker  
Curtis K. Walker, #113906  
Thayer A. K. Butler, #200815  
Mary C. Hoben, #335411  
4356 Nicollet Avenue South  
Minneapolis, MN 55409  
(612) 824-4357

Signed \_\_\_\_\_

Debtor

Signed \_\_\_\_\_

Debtor(joint case)

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

In re:

**Anthony Brown**

Debtor(s)

**SIGNATURE DECLARATION**

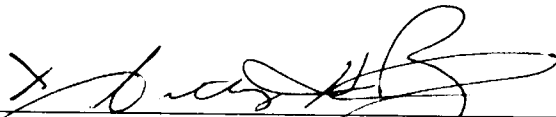
Case no. BKY 04-33984

☐ PETITION, SCHEDULES & STATEMENTS  
☐ CHAPTER 13 PLAN  
☐ SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION  
☒ MODIFIED CHAPTER 13 PLAN  
☐ OTHER (Please describe: \_\_\_\_\_)

I [WE], the undersigned debtor(s) or authorized representative of the debtor, make the following declarations under penalty of perjury:

- \* The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- \* The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- \* [individual debtors only] If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- \* I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- \* [corporate and partnership debtors only] I have been authorized to file this petition on behalf of the debtor.

Date: X 8-22-04

X   
Signature of Debtor or Authorized Representative

X \_\_\_\_\_  
Signature of Joint Debtor

X ANTHONY N. BROWN  
Printed Name of Debtor or Authorized Representative

\_\_\_\_\_  
Printed Name of Joint Debtor

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

IN RE:  
Brown, Anthony Hugh

Case no. BKY 04-33984

Chapter 13 case

Debtor(s),

NOTICE OF CONFIRMATION HEARING  
AND NOTICE OF MODIFIED PLAN

To: The Chapter 13 Trustee, The U.S. Trustee, and the other entities specified in Local Rule 1007-2(a):

1. The debtor(s) have filed a preconfirmation modified plan and it will be considered at the Confirmation Hearing in this case set forth below.
2. The court will hold a hearing on this motion at 10:30 a.m. on September 9, 2004 in Room 228A, United States Courthouse, 316 North Robert Street, St. Paul, Minnesota before the Honorable Dennis D. O'Brien, Bankruptcy Judge.

Dated:\_\_\_\_\_

/e/ Curtis K. Walker  
Curtis K. Walker, #113906  
Thayer A.K. Butler, #200815  
Attorney for Debtor(s)  
4356 Nicollet Avenue South  
Minneapolis, MN 55409  
(612) 824-4357

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

IN RE:  
Brown, Anthony Hugh

Case no. BKY 04-33984

Chapter 13 case

Debtor(s),

UNSWORN CERTIFICATE OF SERVICE

I, Meara White, declare under penalty of perjury that on August 27, 2004, I mailed copies of the foregoing Modified Plan and Notice of Confirmation Hearing and Notice of Modified Plan by first class mail postage prepaid to each entity named below at the address stated below for each entity:

United States Trustee  
1015 U.S. Courthouse  
300 South 4th Street  
Minneapolis, MN 55415

Jasmine Z. Keller, Chapter 13 Trustee  
310 Plymouth Building  
Minneapolis, MN 55402

All Creditors on attached list

Executed on: August 27, 2004

/e/ Meara White

FORD MOTOR CREDIT  
PO BOX 64400  
COLORADO SPRINGS CO 80962

FORD MOTOR CREDIT  
PO BOX 64400  
COLORADO SPRINGS CO 80962

PRINCIPLE RESIDENTIAL MORTGAGE  
711 HIGH STREET  
DES MOINES IA 50392-0770

BRUCE W VAIL  
REVENUE COLLECTION OFFICER  
551 BKY SECTION PO BOX 64447  
ST PAUL MN 55164

INTERNAL REVENUE SERVICE  
ROOM320 STOP 5700  
316 NO ROBERT ST  
ST PAUL MN 55101

CAPITAL ONE SERVICES  
PO BOX 85015  
RICHMOND VA 23285-5015

FHA  
DEPARTMENT OF HUD  
451 7TH STREET SW  
WASHINGTON DC

FHA

DEPTARTMENT OF HUD  
220 SOUTH 2ND STREET  
MINNEAPOLIS MN 55401

PROVIDIAN FINANCIAL  
PO BOX 660509

DALLAS TX 75266-0509

US DEPT OF HIGHER EDUCATION  
PO BOX 746000  
ATLANTA GA 30374

VETERANS ADMINISTRATION  
LOAN GUARANTEE DIVISION  
FORT SNELLING FEDERAL BUILDING  
ST PAUL MN 55111